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In Virginia, it has been held that a condition in a policy, providing that the policy shall be void if the title of the property be transferred or changed, will not apply in the following cases:

1. To the descent of the property on the death of the assured to his heirs. *Ga. Home Ins. Co. v. Kinnier's Adm'r*, 28 Gratt. 88.

2. To the resignation of a trustee—who had insured property in his charge—and the substitution of another in his stead. *Ga. Home Ins. Co. v. Bartlett, Trustee*, 91 Va. 305

3. To a transfer by one partner of his interest in the insured property to the other partner. *Va. Fire & Marine Ins. Co. v. Vaughan*, 88 Va. 832.

G. C. G.

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INSURANCE—INSURABLE INTEREST.—A woman is held, in *Opitz v. Karel* (Wis.), 62 L. R. A. 982, to have an insurable interest in the life of a man whom she is engaged to marry.

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INTERSTATE COMMERCE—RIGHT OF STATE TO REGULATE.—The right of a state to require the delivery of interstate freight by one carrier to another within its borders, in order that the freight may reach a particular depot within a certain municipality, is denied in *Central Stock Yards Co. v. Louisville & N. R. Co.* (C. C. A. 6th C.), 63 L. R. A. 213.

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LATERAL SUPPORT—INDEPENDENT CONTRACTOR.—A lot owner is held, in *Davis v. Summerfield* (N. C.), 63 L. R. A. 492, to be unable to relieve himself from liability for injury to an adjoining building through the negligent excavation of his own lot by letting the work to an independent contractor, if, by reason of the depth to which the excavation is to be carried, it might reasonably be anticipated that injury would probably occur from the prosecution of the work unless reasonable care is exercised.

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NATIONAL BANKS—TRANSFER OF SHARES BY STOCKHOLDER WHILE INDEBTED TO BANK.—A national bank is impliedly precluded from forbidding any transfer of its shares of stock, without the consent of the directors, by a stockholder while he is indebted to the bank, because of the repeal, by the act of June 3, 1864 (13 Stat. at L. 99, chap. 106), re-enacting, in complete form, the entire law as to national banks, of the provisions of the act of Feb. 25, 1863, (12 Stat. at L. 665, chap. 58), subjecting transfers of stock in a national bank, to debts due by the stockholders to the bank, or permitting the board of directors to provide to that effect. *Third National Bank of Buffalo v. Buffalo German Insurance Company*,—U. S.,—24 Sup. Ct. 524.

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RAILROAD COMPANY—DISCHARGE—BLACKLISTING.—A custom of railroads to keep a record of the causes of the discharge of employees, and to decline to employ those who are discharged for certain causes, is held, in *Hundley v. Louisville & N. R. Co.* (Ky.), 63 L. R. A. 289, to make it a part of the contract of employment that no false entry as to the cause of

such discharge shall be made, or communicated, if made, to any other railroad company.

Blacklisting of employees is the subject of a note to this case.

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**RAILROAD COMPANY—PROMISE OF LIFE JOB—STATUTE OF LIMITATIONS—ESTOPPEL.**—A railroad company which induces an employee to refrain from bringing suit for injuries by promises to retain him on the pay roll, pay him for the injuries, and give him a life job, which promises are fulfilled until after the statute of limitations has run, when payment for the injuries is refused, and he is discharged, is held, in *Chesapeake & N. R. Co. v. Speakman* (Ky.), 63 L. R. A. 193, to be estopped to plead the statute to a suit for the injuries.

All the other authorities on estoppel to plead defense of limitations are collated in a note to this case.

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**RESIDENCE—SUFFRAGE.**—A member of the National Home for Disabled Volunteer Soldiers is held, in *Cory v. Spencer* (Kan.), 63 L. R. A. 275, not to be deprived of the right to acquire a residence there for voting purposes by Kan. Const. art. 5, sec. 3, providing that for voting purposes no person, while kept at an almshouse or asylum at public expense, shall, by reason of his presence, be deemed to have gained a residence. The Constitution of Virginia, section 24, provides: "No officer, soldier, seaman, or marine of the United States army or navy shall be deemed to have gained a residence as to the right of suffrage, in the state, or in any county, city or town thereof, by reason of being stationed therein; nor shall an inmate of any charitable institution or a student of any institution of learning, be regarded as having either gained or lost a residence, as to the right of suffrage, by reason of his location or sojourn in such institution." The same language, verbatim, is incorporated in the Act of the General Assembly, approved March 12, 1904 (Acts 1904, p. 213).

G. C. G.

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**TAXATION OF NONRESIDENT EXPRESS COMPANY—MILEAGE BASIS—INCLUDING VALUE OF PERSONAL PROPERTY OUTSIDE THE STATE—INJUNCTION AGAINST ILLEGAL TAXATION—TENDER.**—Personal property owned by a non-resident express company and situated outside the state cannot be taken into account in fixing the value, for taxation, of its property within the state, on a mileage basis, on the theory that it gave the credit necessary for carrying on the business in the state, where the resulting assessment is greatly in excess of the value of the total good will of the company, measured by the difference between its tangible assets and the total value of its stock.

Tender is not a prerequisite to injunctive relief against an assessment for taxation made upon unconstitutional principles.

Injunction is the proper form of relief from an assessment for taxation made upon unconstitutional principles. *Fargo v. Hart*, — U. S. —, 24 Sup. Ct. 498. See Taxation, Vol. 45, Cent. Dig. sec. 915.